THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.24468 of 2005

Date:14.12.2005

T.Unneen Kutty.

--------PETITIONER

The Chief Engineer and others.

---------RESPONDENTS

ORDER:

The petitioner was employed in the then A.P.Electricity Board and continued in service till 30.06.2005, by which time the Board has been reconstituted. Through proceedings, dated 18.03.2004, the 3rd respondent directed recovery of a sum of Rs.14,678/- from the salary of the petitioner in five instalments. By the time the petitioner retired from service, the entire amount stood recovered.

The petitioner states that the recovery was effected, treating certain period as extra-ordinary leave, without his knowledge and without issuing any notice, and that he made a representation on 21.05.2004 pointing out as to how the recovery was legal. His grievance is that no orders have been passed thereon and that he is subjected to hardship. He placed reliance upon B.P.Ms.No.16, dated 09.01.1976.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The respondents effected recovery of a sum of Rs.14,678/- from the salary of the petitioner, even while he was in service. Soon after the petitioner came to know about such deductions, he submitted a representation on 21.05.2004, a

few days before he retired from the service. Basically, the respondents ought to have put the petitioner on notice before effecting any recovery. At any rate, they cannot keep the representation of the petitioner pending indefinitely.

Therefore, the Writ Petition is disposed of, directing respondents 2 and 3 to pass appropriate orders on the representation, dated 21.05.2004, made by the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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14.12.2005

Note: Issue C.C. by 19.12.2005.

(B/o)

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